

1 BILL NO. R-86-05-08

2 DECLARATORY RESOLUTION NO. R-39-86

3 A DECLARATORY RESOLUTION designating  
4 an "Economic Revitalization Area"  
5 under I.C. 6-1.1-12.1 for property  
6 commonly known as 710 Ley Road, Fort  
Wayne, Indiana. (All Phase Real  
Estate Company, Petitioner).

7 WHEREAS, Petitioner has duly filed its petition dated  
8 April 15, 1986, to have the following described property  
9 designated and declared an "Economic Revitalization Area" under  
10 Division 6, Article II, Chapter 2 of the Municipal Code of the  
11 City of Fort Wayne, Indiana, of 1974, as amended, and I.C. 6-1.1-  
12 12.1, to-wit:

13 Lot "B" in the Plat of Merchandise  
14 Place Addition to the City of  
15 Fort Wayne, Indiana, as recorded  
16 in Plat Book 29, pages 146-148,  
17 on file in the Office of the  
Recorder of Allen County, Indiana,  
18 EXCEPT that part hereof containing  
41,448 square feet, more or less,  
19 as described in the conveyance  
thereof by Schlatter Hardware,  
20 Inc. to State Farm Mutual Auto-  
mobile Insurance Company by deed  
dated April 15, 1977, recorded  
in the Office of the Recorder  
of Allen County, State of Indiana,  
21 on April 26, 1977, as Instrument  
K 1861;

22 said property more commonly known as 710 Ley Road, Fort Wayne,  
23 Indiana;

24 WHEREAS, it appears that said petition should be pro-  
25 cessed to final determination in accordance with the provisions  
26 of said Division 6.

27 NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL  
28 OF THE CITY OF FORT WAYNE, INDIANA:

29 SECTION 1. That, subject to the requirements of Section  
30 4, below, the property hereinabove described is hereby designated  
31 and declared an "Economic Revitalization Area" under I.C. 6-1.1-  
32 12.1. Said designation shall begin upon the effective date of



1 Page Two

2 the Confirming Resolution referred to in Section 3 of this Resolu-  
3 tion and shall continue for one (1) year from the time the pre-  
4 vious designation elapses (August 29, 1986), until August 29,  
5 1987. Said designation shall terminate at the end of that one  
6 (1) year period, on August 29, 1987.

7 SECTION 2. That upon adoption of this Resolution:

8 (a) Said Resolution shall be filed with the Allen  
9 County Assessor;

10 (b) Said Resolution shall be referred to the Committee  
11 on Finance and shall also be referred to the De-  
12 partment of Economic Development requesting a re-  
13 commendation from said department concerning the  
14 advisability of designating the above designated  
15 area an "Economic Revitalization Area";

16 (c) Common Council shall publish notice in accordance  
17 with I.C. 5-3-1 of the adoption and substance of  
18 this Resolution and setting this designation as an  
19 "Economic Revitalization Area" for public hearing;

20 (d) If this Resolution involves an area that has al-  
21 ready been designated an allocation area under  
22 I.C. 36-7-14-39, then the Resolution shall be re-  
23 ferred to the Fort Wayne Redevelopment Commission  
24 and said designation as an "Economic Revitalization  
25 Area" shall not be finally approved unless said  
26 Commission adopts a resolution approving the peti-  
27 tion.

28 SECTION 3. That, said designation of the hereinabove  
29 described property as an "Economic Revitalization Area" shall  
30 only apply to a deduction of the assessed value of real estate.

31 SECTION 4. That this Resolution shall be subject to  
32 being confirmed, modified and confirmed or rescinded after public

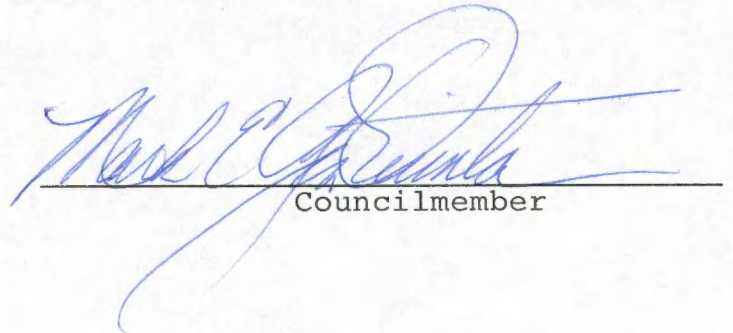


1 Page Three

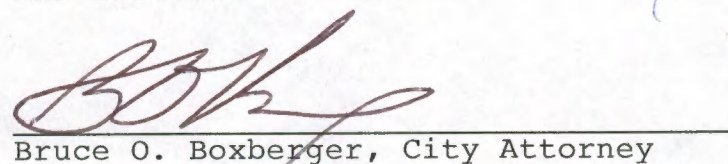
2 hearing and receipt by Common Council of the above described re-  
3 commendations and resolution, if applicable.

4 SECTION 5. That it is the preliminary intent of Common  
5 Council to recommend a ten (10) year deduction from the assessed  
6 value of the real property. The length of the deduction will be  
7 finally determined by Common Council, pursuant to I.C. 6-1.1-  
8 12.1-3(b), after receipt of the owner's application from the  
9 County Auditor.

10 SECTION 6. That this Resolution shall be in full force  
11 and effect from and after its passage and any and all necessary  
12 approval by the Mayor.

13   
14 Councilmember

15  
16 APPROVED AS TO FORM  
17 AND LEGALITY

18   
19 Bruce O. Boxberger, City Attorney

20  
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Read the first time in full and on motion by \_\_\_\_\_ seconded by \_\_\_\_\_, and duly adopted, read the second time by title and referred to the Committee \_\_\_\_\_ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ .M., E.

DATE: \_\_\_\_\_

SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by GiaQuinta seconded by Stier, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 5-13-86

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ANNEXATION)~~ ~~(APPROPRIATION)~~ ~~(GENERAL)~~ ~~(SPECIAL)~~ (ZONING MAP) ORDINANCE (RESOLUTION) NO. D-39-86 on the 13th day of May, 1986,

ATTEST:

(SEAL)

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Samuel J. Talarico  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of May, 1986, at the hour of 11:00 o'clock A. .M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 14th day of May, 1986, at the hour of 2:00 o'clock P. .M., E.S.T.

Win Moses, Jr.  
WIN MOSES, JR., MAYOR



875 RIVERVIEW DR. BENTON HARBOR, MI 49022 TEL. 616/926-6194

# ALL-PHASE *Electric Supply Co.*

April 15, 1986

Mr. Fred Baughman  
Fort Wayne Department of Economic Development  
City-County Building  
Room 840  
Fort Wayne, IN 46802

Re: Tax Abatement on Property Located at 710 Ley Road

Dear Mr. Baughman:

On behalf of All-Phase Real Estate Company, I respectfully request that the designation of the property at 710 Ley Road as an "Economic Revitalization Area" be extended one year until August 26, 1987.

The project has been delayed due to storm damage. The "Application for Deduction from Assessed Valuation" will not be filed with the county assessor's office until the project is 100% complete, which should be on or before May 10, 1987.

If you have any questions, please give me a call. Thank you.

Sincerely,

*Bob R. Roberts*

Bob R. Roberts  
Tax Manager

BRR/des

cc: Patrick J. Kinney  
All-Phase Real Estate



Check List for Designation as an Economic Revitalization Area  
Department of Economic Development  
Fort Wayne, Indiana

Applicant ALL PHASE REAL ESTATE COMPANY  
Project CONSTRUCT 18,000 ~~sq~~ WAREHOUSE & DISTRIBUTION FACILITY  
Location 710 LEY RD. Date 8-6-85  
Contact Person PATRICK J. KINNEY Building Permit \_\_\_\_\_  
Phone Number (616) 983-0103 Date \_\_\_\_\_  
LOCAL 482-1537 YES NO

A. Project is located within geographic area in City limits which is undesirable for, or impossible of, normal development and occupancy because of:

- |  |   |   |
|--|---|---|
| 1. lack of development.  | — | — |
| 2. cessation of growth   | — | — |
| 3. deterioration of improvements or character of occupancy.  | — | — |
| 4. age obsolescence.   | — | — |
| 5. substandard buildings.  | — | — |
| 6. other factors which have impaired values or prevent a normal development of property or use of property.  | — | — |
| 7. lies within an area where facility or a group of facilities that are technologically, economically, or energy obsolete are located and where the obsolescence may lead to a decline in employment and tax revenues. | — | — |

B. Project is located within:

- |                                  |   |   |
|----------------------------------|---|---|
| 1. a Redevelopment Project area. | — | — |
| 2. an industrially zoned site.   | X | — |
| 3. a commercially zoned site.    | — | — |

C. Project addresses which of the following development objectives:

- |  |          |   |
|--|----------|---|
| 1. effective utilization of vacant under-utilized land.                  | <u>X</u> | — |
| 2. preservation of historic or architecturally significant structures.   | —        | — |
| 3. neighborhood conservation and stabilization.                          | —        | — |
| 4. improvement of the physical appearance of the City.                   | <u>X</u> | — |
| 5. Rehabilitation or replacement of obsolete or deteriorated structures. | —        | — |
| 6. increase in employment ( <u>26</u> ) jobs.                            | <u>X</u> | — |

D. Tax Information:

1. Improvement Cost \$ \_\_\_\_\_

2. Tax Rate

3. Abatement Schedule:

Year 1 \$ \_\_\_\_\_

Year 6 \$ \_\_\_\_\_

Year 2 \$ \_\_\_\_\_

Year 7 \$ \_\_\_\_\_

Year 3 \$ \_\_\_\_\_

Year 8 \$ \_\_\_\_\_

Year 4 \$ \_\_\_\_\_

Year 9 \$ \_\_\_\_\_

Year 5 \$ \_\_\_\_\_

Year 10 \$ \_\_\_\_\_

4. Total "Estimated" Tax Abatement \$ \_\_\_\_\_

Notes:



KINNEY, COOK, LINDENFELD & KELLEY

ATTORNEYS AT LAW

LAW & TITLE BUILDING

P. O. BOX 24

SAINT JOSEPH, MICHIGAN 49085

PATRICK J. KINNEY  
MICHAEL K. COOK  
RICHARD B. LINDENFELD  
PAUL J. KELLEY  
WILLIAM J. BRAAKSMA  
MARK S. BOWMAN

TELEPHONE  
983-0103  
AREA CODE 616

August 2, 1985

Mr. Fred Baughman  
E.D.C. Coordinator  
Fort Wayne Department of Economic Development  
City-County Building, Room 840  
One Main Street  
Fort Wayne, Indiana 46802

Re: Application of All-Phase Real Estate Company - for  
real estate tax abatement - new wholesale electric  
supply warehouse and sales distribution facility to  
be leased to All-Phase Electric Supply Co.

Dear Mr. Baughman:

Herewith enclosed is the above application, together with  
our Law Firm's check in the amount of \$50.00, payable to the Fort  
Wayne Department of Economic Development, being the filing fee as  
set forth in the Statement of Policies adopted by the Fort Wayne  
Common Council as to tax abatement.

In accordance with our recent telephone conversation, it is  
my understanding that you will complete item 10, being the  
Township where this property is located. I was somewhat confused  
as to question number 24. If an answer is called for as to this  
item, would you please insert the appropriate answer on our  
behalf, or give me a call if you deem this necessary. Neither  
All-Phase Real Estate Company nor All-Phase Electric Supply Co.  
has any other arrangements with the City of Fort Wayne or Allen  
County as to any other tax abatements.

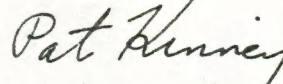
I wait your further advise as to when this matter will come  
before the Common Council. As with our application for Economic  
Development Revenue Bond Financing, I will plan on coming to Fort  
Wayne to make a presentation on behalf of the Company and will



Mr. Fred Baughman  
E.D.C. Coordinator  
August 2, 1985  
Page 2

also have present the Company's District Manager, together with the All-Phase Fort Wayne Branch Manager, for the purpose of explaining the project and answering any questions which may arise.

Yours very truly,



Patrick J. Kinney

PJK/cs

Enclosures

cc: All-Phase Electric Supply Co.

Mr. Ronald F. Kinney, President

Mr. William C. Vegter, Controller

Mr. Al Sprunger, District Manager

Mr. Roger Smith, Fort Wayne Branch Manager

N. B. Knapke and Company

Mr. Philip J. Knapke

w/encs.



APPLICATION FOR DESIGNATION  
AS AN ECONOMIC REVITALIZATION AREA  
-REAL ESTATE TAX ABATEMENT-

This application is to be completed and signed by the owner of the property where development or rehabilitation is to occur. The City of Fort Wayne, Indiana, reviews this application for designation as an "Economic Revitalization Area" in regards to its responsibility under Public Law 69, enacted by the General Assembly of the State of Indiana in 1977; and all subsequent amendments made by the General Assembly thereafter.

1. Applicant ALL-PHASE REAL ESTATE COMPANY
2. Owner(s) JOHN M. WILLIAMSON and JOAN M. WILLIAMSON
3. Address of Owner(s) 136 Club Course Drive  
Hilton Head, South Carolina 29928
4. Telephone Number of Owner(s): (803) 671-4837
5. Relationship of Applicant to Owner(s) if any Applicant  
is purchasing from Owner; there is no other relationship.
6. Address of Applicant\* 875 Riverview Drive  
Benton Harbor, Michigan 49022
7. Telephone number of Applicant: (616) 983-0103
8. Address of Property Seeking Designation 710 Ley Road,  
Fort Wayne, Indiana
9. Legal Description of Property Proposed for Designation  
(may be attached) See Attached.
10. Township WASHINGTON
11. Taxing District City of Fort Wayne

\*Name, address and telephone number of contact person is:  
Patrick J. Kinney, P.O. Box 24, Law & Title Building,  
811 Ship Street, St. Joseph, Michigan 49085  
Telephone (616) 983-0103.



12. Current Zoning M-2
13. Variance Granted (if any) None required.
14. Current Use of Property
- a. How is property presently used? Property is vacant land and is presently not being used.
- b. What Structure(s) (if any) are on the property? None.
- ☒ What is the condition of this structure/these structures N/A
15. Current Assessed Value of Real Estate
- a. Land \$11,100.00
- b. Improvements None
16. Amount of Total Property Taxes Owed During the Immediate Past Year
- \$865.18
17. Description of Proposed Improvements to the Real Estate
- Construction of an approximate 18,000 square foot steel and masonry building for use by All-Phase Electric Supply Co. as a warehouse and sales distribution facility.
18. Development Time Frame
- a. When will physical aspects of development or rehabilitation begin?
- Fall of 1985 or Spring of 1986.
- b. When is completion expected? January or August of 1986, depending upon the starting date.
19. Cost of Project (not including land costs) \$400,000.00



20. Permanent Jobs Resulting from Completed Project

a. How many permanent jobs will be employed at or in connection with the project after it is completed? 26

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b. What is the nature of those jobs? Sales, purchasing, warehousing, delivery, computer operators and general office workers.

c. Anticipated time frame for reaching employment level stated above?

22 immediately upon completion and 26 within three years.

21. Additional municipal services necessitated by installation of new manufacturing equipment (e.g. enlargement of sewer, etc.) \_\_\_\_\_

No additional required.

22. Undesirability for Normal Development

What evidence can be provided that the project property is located in an area "which has become undesirable for, or impossible of, normal development and occupancy because of a lack of age, development, cessation of growth, deterioration of improvements or character of occupancy, obsolescence substandard buildings or other factors which have impaired values or prevent a normal development of property or use of property"?

The entire City of Fort Wayne has experienced an economic down turn which has impaired normal commercial development.

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23. How will the proposed designation further the economic development objectives of the City of Fort Wayne? \_\_\_\_\_

Increased payroll in the community. Better services to existing and new commerce and industry in fulfilling their electrical supply needs through more extensive inventories sold at competitive prices. Additions to tax base with minimal required city services.

24. Instrument Number of Commitments or Covenants Enforceably by the City of Fort Wayne or Allen County (if any). Provide brief description of same, or a copy thereof.

25. Zoning Restrictions

Will this project require a rezoning, variance, or approval before construction is initiated?

Yes \_\_\_\_\_

No X

26. Financing on Project

What is the status of financing connected with this project? Applicant is in the process of obtaining a commitment from an existing bank where it has a line of credit (either American Fletcher in Indianapolis or National Bank of Detroit) to purchase bonds issued by the Economic Development Commission to finance the project. A local Fort Wayne bank has also expressed an interest in buying such bonds. The cost of the project not provided for by the sale of bonds will be paid for by Applicant using existing unsecured lines of credit or excess cash generated from the rents from Applicant's other buildings.

I hereby certify that the information and representation on this Application are true and complete.

X John M. Williamson  
Signature (s) of Owners  
JOHN M. WILLIAMSON

8-1-85  
Date

X Joan M. Williamson  
JOAN M. WILLIAMSON

8-1-85

ALL-PHASE REAL ESTATE COMPANY,  
Applicant

8-2-85

By: Patrick J. Kinney  
Patrick J. Kinney, Partner

\_\_\_\_\_

Information Below to be filled in by Department of Economic Development:

Date Application Received:

\_\_\_\_\_

Date Application Forwarded to Law Dept:

\_\_\_\_\_

Date of Legal Notice Publication:

\_\_\_\_\_

Date of Public Hearing:

\_\_\_\_\_

Approved or Denied?

Date:

\_\_\_\_\_

Allocation Area:

\_\_\_\_\_



EXHIBIT 1

Legal Description

The legal description for the land being acquired and on which the building will be built is as follows:

Lot "B" in the Plat of Merchandise Place Addition to the City of Fort Wayne, Indiana, as recorded in Plat Book 29, pages 146-148, on file in the office of the Recorder of Allen County, Indiana, EXCEPT that part thereof containing 41,448 square feet, more or less, as described in the conveyance thereof by Schlatter Hardware, Inc. to State Farm Mutual Automobile Insurance Company by deed dated April 15, 1977, recorded in the office of the Recorder of Allen County, State of Indiana, on April 26, 1977, as Instrument K 1861.

DIGEST SHEETTITLE OF ORDINANCE Declaratory Resolution Q-86-05-08DEPARTMENT REQUESTING ORDINANCE Economic Development

SYNOPSIS OF ORDINANCE A Declaratory Resolution designating an "Economic  
Revitalization Area" under I.C. 6-1.1-12.1 for property commonly  
known as 710 Ley Road, Fort Wayne, Indiana. (All Phase Real Estate  
Company, Petitioner).

EFFECT OF PASSAGE Property that is presently vacant will be utilized by  
the construction of an approximate 18,000 square foot steel and masonry  
building for use by All-Phase Electric Supply Co. as a warehouse and  
sales distribution facility.

EFFECT OF NON-PASSAGE Opposite of the above.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) \$400,000.00

ASSIGNED TO COMMITTEE (PRESIDENT) \_\_\_\_\_



BILL NO. R-86-05-08

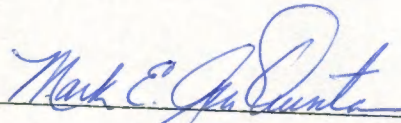
REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS  
REFERRED AN (~~ORDINANCE~~) <sup>XXXXXXXXXX</sup> (RESOLUTION) designating an "Economic  
Revitalization Area" under I.C. 6-1.1-12.1 for property commonly  
known as 710 Ley Road, Fort Wayne, Indiana (All Phase Real Estate  
Company, Petitioner)

HAVE HAD SAID (~~ORDINANCE~~) (RESOLUTION) UNDER CONSIDERATION AND BEG  
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (~~ORDINANCE~~) <sup>XXXXXXXXXX</sup>  
(RESOLUTION) \_\_\_\_\_

YES

NO



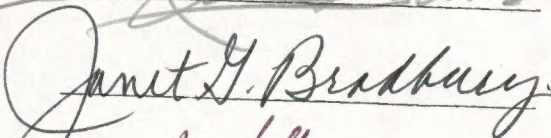
MARK E. GiaQUINTA  
CHAIRMAN



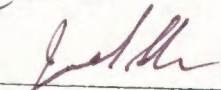
CHARLES B. REDD  
VICE CHAIRMAN



PAUL M. BURNS



JANET G. BRADBURY



JAMES S. STIER

CONCURRED IN 5-13-86

SANDRA E. KENNEDY  
CITY CLERK